



Board of Zoning Appeals

November 4, 2020

6:00 p.m.

Due to the coronavirus (COVID-19) pandemic, Whitehouse Village Council is urging citizens to access public meetings remotely. You may do so by phone by dialing **1-408-418-9388**. You will then be prompted to press the following access code **132-196-5280**. The Password will be **0206**. To help minimize background noise, **please make sure that you mute your microphone.**

Notice is hereby given that the Whitehouse Board of Zoning Appeals will meet on Wednesday, November 4, 2020, at 6:00 PM. This meeting will be held over the phone.

AGENDA

1. Call to Order.
2. Approve Minutes of the October 7, 2020 meeting.
3. Review, discuss and finalize a ruling regarding Appeal #08-2020 submitted by Charles Grass, owner, for construction of a new home.
4. Any other business as appropriate under the Village Charter.
5. Adjourn.

Tiffany Bachman
Planning Administrator

**VILLAGE OF WHITEHOUSE
BOARD OF ZONING APPEALS MINUTES
October 7, 2020**

Board members present: Chuck Kethel, Leroy Ryerson, Tom Spears, Julie Studer and Mike Walters. Also present was Michael Schember of Great Day Improvements and Planning Administrator Tiffany Bachman.

The Board of Zoning Appeals (BZA) meeting was called to order by Mike Walters at 6:00 p.m.

First order of business is to approve minutes from the September 2, 2020 meeting. Motion made by Leroy Ryerson, seconded by Chuck Kethel to accept the minutes. Motion passed 5-0

Second order of business is to Review, discuss and finalize a ruling regarding Appeal #07-2020 submitted by Great Day Improvements, on behalf of Angela Brennan, homeowner, for construction of a front porch. Michael Schember stated that the porch will be enclosed with a glass enclosure for a three season's room. Nothing will be changed structurally. The existing foundation is in good shape but there will be a sleeper floor put on to level it out so flooring of the homeowners choice can be put down. Julie Studer made a motion to approve the construction, Chuck Kethel seconded. Motion passed 5-0.

Leroy made a motion to adjourn, seconded by Chuck Kethel. Motion passed 5-0. Meeting adjourned at 6:10 pm

Respectfully submitted,

Tiffany Bachman
Planning Administrator

STAFF REPORT
BOARD OF ZONING APPEALS #08-2020
November 4, 2020

Applicant: Charles Grass

Owner: Artisan Craftbuilt Homes

Date Appeal Filed: October 15, 2020

Subject Property: 10922 Otsego Street, Whitehouse, OH

Request: Applicant is requesting a variance in order to construct a new single family home.

Adjacent Zoning: North and East: C-2 Village Center Commercial
South and West: R-5 Multi-Family Residential

Adjacent Uses: North: Single family residence
East: Post Office
South: Apartment complex
West: Single family residence

CONSIDERATIONS:

1. Applicant is requesting a side yard variance to construct a single family home. At this time, the applicant does not have a house plan in mind for this lot. He is requesting the variance based on a need he foresees to make the floor plan flow better.
2. The setback requirements for R-5 Multi-Family Residential are 10 feet. The applicant is requesting a 7 foot side yard setback and therefore will need a 3 ft variance for the east and west side yards.
3. Applicant submitted an appeal for a variance to the Board of Zoning Appeals on October 15, 2020, and paid the \$100.00 filing fee.
4. Section 1242.03 (B) of the Zoning Code sets forth the powers and jurisdiction of the BZA. That section provides that no variance shall be granted unless the Board specifically finds that all of the following conditions exist:
 1. The special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.

2. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
3. The condition from which relief or a variance is sought did not result from action by the applicant.
4. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the health, safety, convenience or general welfare of the inhabitants of the Village.

Respectfully submitted,

Tiffany Bachman
Planning Administrator



PETITION

Before the Board of Zoning Appeals

REQUEST FOR VARIATION

Docket No. _____

DO NOT WRITE IN THIS SPACE – FOR OFFICE USE ONLY

Date Filed: 10.15.2020 Time: _____

Date set for Hearing: 11.4.2020 Time: _____

Fee Paid on: 10.15.2020 Amount: \$100.00

Comments: _____

NOTICE TO APPLICANTS

A Variation is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of Variation is limited to the minimum change necessary to overcome the inequality inherent in the property. "Variation" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

A variation recognizes that the same district requirements do not affect all properties equally; it is used to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. You must prove that your land is affected by special circumstances or unusual conditions. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance.

You must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevents you from making any reasonable use of your land as permitted by your present zoning district.

You must file this Petition along with the following: The filing fee established by the Village of Whitehouse; an 11 x 17 inch Site Plan and a 24 x 30 inch Site Plan giving dimensions and scale; a Legal Plat of Survey; proof of ownership; and a copy of any rough building plans giving dimensions and scale. You may also be required to submit additional information.

You must complete the following questions (if additional space is needed, attach extra pages to this Application).

1) Name of owner(s): Artisan Craftbuilt Homes

2) If Land Trust, name(s) of all beneficial owners: N/A

3) Name of Applicant(s): Charles Grass

4) Address of Applicant(s): PO Box 2755 Whitehouse

5) Applicant(s) phone number: ^{cell} 419-277-7777 Office _____
Home _____ Office _____

6) Property interest of Applicant:

- ☒ Owner
☐ Contract purchaser
☐ Attorney of owner
☐ Other (describe) _____

7) Address of property in question: 10922 Otsego St.

8) Size of parcel: 66 x 132-

9) Present zoning category:

- | | | |
|------------------------------|---|-------------------------------|
| <input type="checkbox"/> A | <input type="checkbox"/> R-4 | <input type="checkbox"/> C-4 |
| <input type="checkbox"/> S-1 | <input checked="" type="checkbox"/> R-5 | <input type="checkbox"/> M-1 |
| <input type="checkbox"/> R-1 | <input type="checkbox"/> C-1 | <input type="checkbox"/> M-2 |
| <input type="checkbox"/> R-2 | <input type="checkbox"/> C-2 | <input type="checkbox"/> B.P. |
| <input type="checkbox"/> R-3 | <input type="checkbox"/> C-3 | |

10) Adjacent Zoning:

To the North: C-2

To the South: R-5

To the East: C-2

To the West: R-5

11) How is the property in question presently improved? utilities - bare lot

12) Present Use:

☐ Commercial

☐ Industrial

☐ Residential

☒ Other

(Describe) empty lot

13) Adjacent Uses:

To the North: Residential & commercial

To the South: Apartment

To the East: commercial

To the West: House (rental)

14) A VARIATION is requested in conformity with the powers vested in the Board of Zoning Appeals to permit the _____

_____ on the
(insert use of construction proposed)
property described above.

15) Permit applied for and denied:

☐ Yes

☐ No

16) Is the property in question currently in violation of the Zoning Ordinance?

☐ Yes

☒ No

If yes, how? _____

17) Is the property in question presently subject to a variation?

☐ Yes

☒ No

If yes, list each date and ordinance granting the variation(s). _____

18) From what zoning and/or sign ordinance are you requesting a

variation? sideyard minimum in 6.02 Development Standards Matrix

19) ATTACH LEGAL DESCRIPTION AS IT APPEARS ON THE DEED. Dave

20) What characteristics of your property prevent it being used for any of the uses permitted in your zone?

☒ Too narrow

☐ Too small

☐ Too shallow

☐ Elevation

☐ Slope

☐ Shape

☐ Soil

☐ Subsurface

☐ Other (Specify)

21) Describe the items checked, giving dimensions where appropriate. currently

10' sideyard, in need of 7'

22) How do the above site conditions prevent any reasonable use of your land

under the terms of the Zoning Ordinance? Ten(10)feet significantly

limits the layout & type of floor plan which would make the
difference between a residence with good flow & traffic pattern
and a poorly designed one.

23) Are the conditions on your property the result of other man-made changes (such as relocation of a road or highway)?

☐ Yes

☒ No

If so, describe _____

24) Which of the following types of modifications will allow you a reasonable use of your land?

- ☐ Setback requirement
- ☒ Side yard restriction
- ☐ Area requirement
- ☐ Lot-coverage requirement
- ☐ Off-street parking requirement
- ☐ Other (describe) _____

25) To the best of your knowledge, are the conditions of hardship for which you request a Variation true only of your property?

☐ Yes

☒ No If no, how many other properties in your immediate vicinity to the best of your knowledge are similarly affected? Three (3)

10915 Otsego St. one (1) foot side yard. 10936 Otsego approx. 4'
10935 Waterville St. approx. 3 1/2'

26) Explain why in your opinion the grant of the Variation requested will be in harmony with the neighborhood and not contrary to the intent and purpose of the Zoning Ordinance. (Use additional pages if necessary)

This property was previously zoned C2 which allows for
zero side yard setback.

As item #25 proves there are at least three (3)
neighborhood properties which have less than the seven (7) foot
side yard setback being requested.

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Whitehouse for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.



(Signature) Owner

10-16-20
(Date)

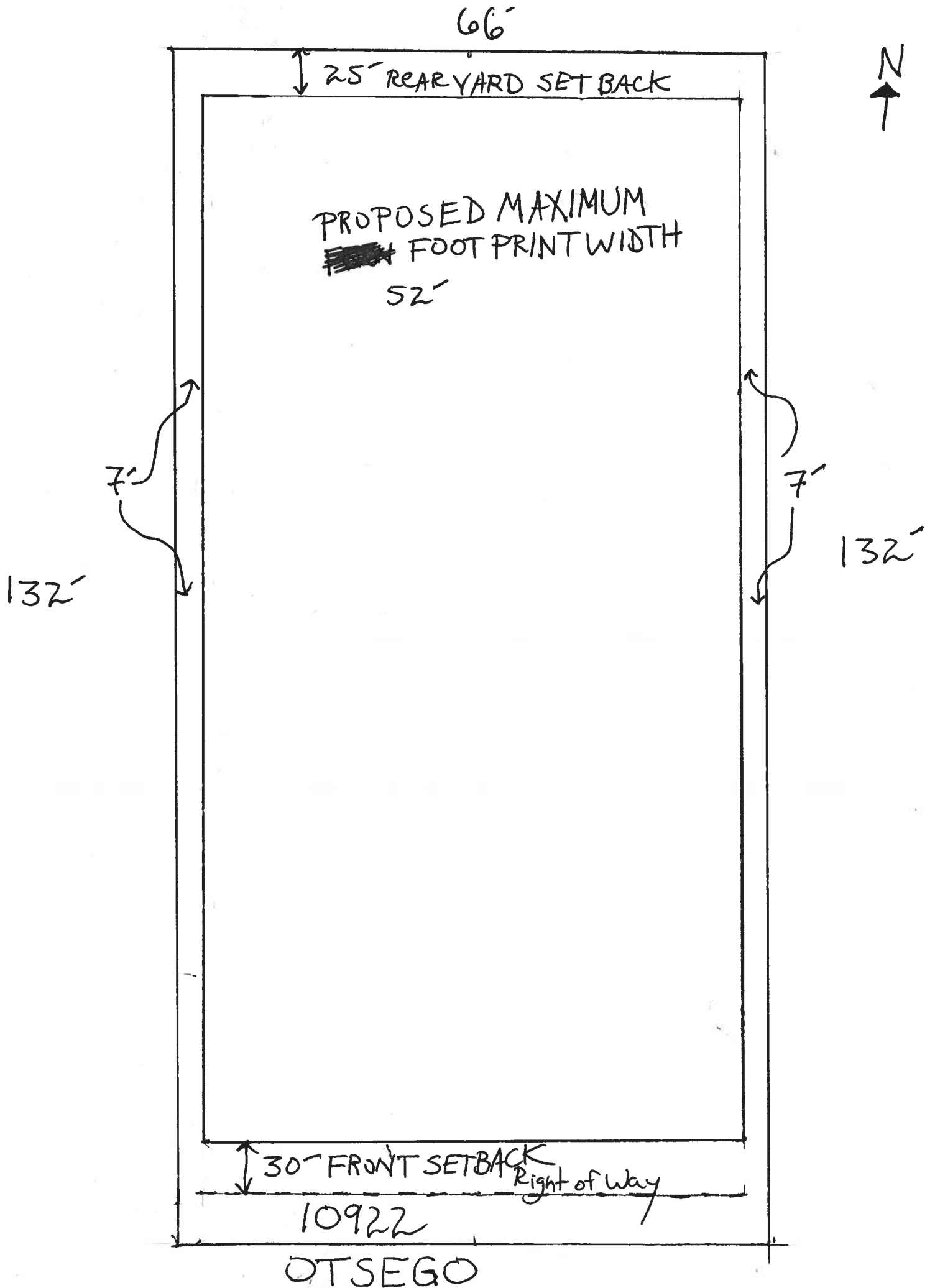
(Signature) Applicant

(Date)

Legal Description of 10922 Otsego St. Parcel #98-10034

Lot Numbers Six (6), in Whitehouse Village, in the Village of Whitehouse, Lucas County, Ohio, in accordance with Volume 1 of Plats, page 89.





OF ALL OF LOT 6 IN WHITEHOUSE VILLAGE ADDITION,
IN THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO.

(AS IT NOW EXISTS)

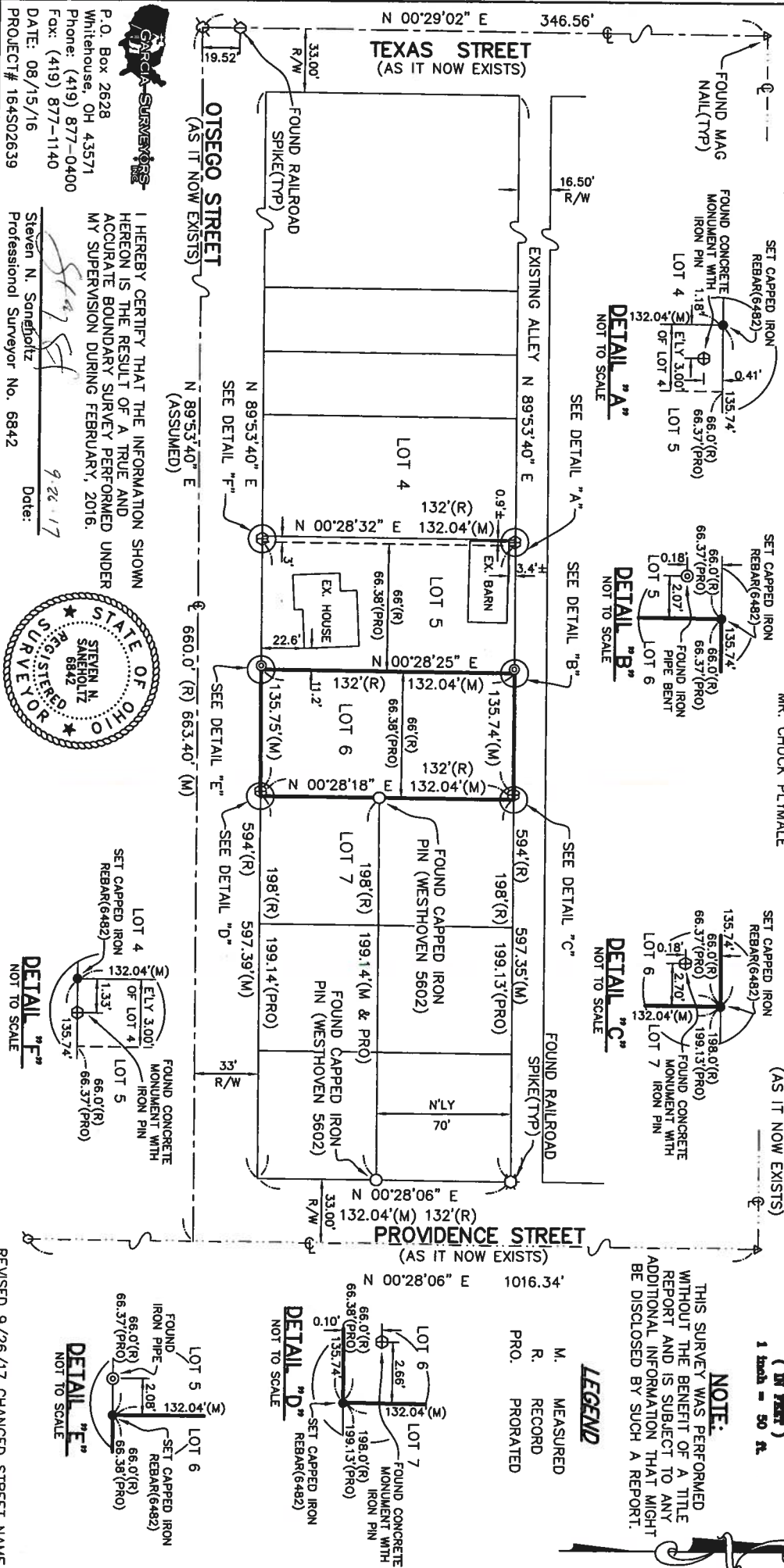
MR. CHUCK PLYMALE

(AS IT NOW EXISTS)



THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ADDITIONAL INFORMATION THAT MIGHT BE DISCLOSED BY SUCH A REPORT.

M.	MEASURED
R.	RECORD
PRO.	PRORATED



**GARCIA SURVEYORS
INC.**
P.O. Box 2628
Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140
DATE: 08/15/16
PROJECT# 16AS02639

I HEREBY CERTIFY THAT THE INFORMATION SHOWN
HEREON IS THE RESULT OF A TRUE AND
ACCURATE BOUNDARY SURVEY PERFORMED
MY SUPERVISION DURING FEBRUARY, 2016.

Steven N. Sonegoltz 9-26-17

Steven N. Sonegoltz Date:
Professional Surveyor No. 6842



FOUND CONCRETE MONUMENT WITH IRON PIN

LOT 5

132.04' (M)

Ely 3.001

1.33'

135.74'

66.0' (R)

66.37' (PRO)

DETAIL F F

NOT TO SCALE

REVISSED 9/26/17 CHANGED STREET NAME